



STATE OF MICHIGAN
DEPARTMENT OF HUMAN SERVICES
LANSING



JENNIFER M. GRANHOLM
GOVERNOR

ISMAEL AHMED
DIRECTOR

April 3, 2008

The Honorable Bill Hardiman, Chair
Senate Appropriations Subcommittee on DHS
Michigan State Senate
Lansing, MI 48933

The Honorable Dudley Spade, Chair
House Appropriations Subcommittee on DHS
Michigan House of Representatives
Lansing, MI 48933

Dear Senator Hardiman and Representative Spade:

Section 575(3) of 2007 Public Act No. 131 requires the Department of Human Services (DHS) to submit semi-annual reports to the legislature on the following:

“As a condition of receiving appropriated money, the department and the office of the friend of the court shall work in cooperation to provide support services to families of custodial parents who have been awarded child support from a parent who is incarcerated.”

The friend of the court provides statutorily required services to all custodial parents who have been awarded child support regardless of the status of the payer as it relates to incarceration. If requested by an incarcerated person who demonstrates inability to pay, current child support is stopped by the court during the period of incarceration (*Pierce v Pierce*, 162 Mich. App. 367 (1987)). Further, custody is not likely to be contested if one parent is incarcerated. As a result, the friends of the court do not have significant contact with custodial parents when the non-custodial parent is incarcerated.

It is noteworthy that friends of the court will seek payment of child support arrearages from a non-custodial parent's prison account even if current child support is stopped due to the incarceration. The Michigan State Court Administrative Office in cooperation with the Department of Corrections has provided policy and forms to the friends of the court to use to request this repayment. Also, the friends of the court monitor the release dates of incarcerated persons so that child support can be re-established in a timely manner.

The Hon. Bill Hardiman
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If you have any questions, please contact John Sorbet, chief administrative officer, DHS, at (517) 373-7787.

Sincerely,



Ismael Ahmed
Director, MI Dept. of Human Services



Suzanne Hollyer
President, MI Friend of the Court Association

c: Senate and House Appropriations Subcommittee on DHS
Senate and House Fiscal and Policy Offices
State Budget Director